IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

CRIMINAL MISC.APPLICATION No 7735 of 2002

For Approval and Signature:

Hon'ble MR.JUSTICE R.P.DHOLAKIA

==========

1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

AJAY BANKDA

Versus

STATE OF GUJARAT

Appearance:

1. Criminal Misc.Application No. 7735 of 2002

MR ABHAY SHAH FOR MR RJ GOSWAMI for Petitioner No. 1

MR KG SHETH, APP for Respondent No. 1

MR PK JANI for Respondent No. 2

CORAM : MR.JUSTICE R.P.DHOLAKIA

Date of decision: 21/03/2003

ORAL JUDGEMENT

Mr.Abhay Shah for Mr.R.J.Goswami and Mr.P.K.Jani,

learned counsels for the petitioner and respondent No.2 respectively and Mr.K.G.Sheth, learned APP for the respondent No.1 are present.

2. Learned counsels for the petitioner and respondent No.2 have submitted a settlement purshis enumerating the terms and conditions therein which is signed by the petitioner-accused and the respondent-complainant and their respective counsels. Same is ordered to be taken on record. The only dispute was regarding the salary amount and other expenses and according to the parties, they have settled the matter outside the court. The petitioner has paid a sum of Rs.1,00,000/-(Rupees One Lac only) by demand draft to the respondent No.2 and a certificate has been issued to him. Parties have not insisted for reasoned order. In view of the settlement arrived at between the parties, the impugned complaint and the process are required to be quashed and set aside by allowing this petition.

3. This petition is allowed. Complaint and process issued in Criminal Case No.3008 of 2001 pending in the court of learned Metropolitan Magistrate, Court No.20, Ahmedabad, are quashed and set aside. Rule is made absolute.

(R.P.DHOLAKIA,J.)
radhan/